IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JAIPUR BENCH, JAIPUR

O R D E R

S.B. CIVIL WRIT PETITION NO. 4023/1999

DURGA SHANKER Vs. THE STATE OF RAJASTHAN & ORS.

Date: 19.12.2006.

HON'BLE MR. K.S. RATHORE, J.

Mr. Bhanwar Bagri for the petitioner.
Mr. B.S. Chhaba, Addl. GA for the State.

****

The only grievance of the petitioner in this writ petition is that the petitioner was working with the respondents w.e.f. 01.06.1965 and claimed that he may be given the retiral benefits from his initial date of appointment i.e. 01.06.1965, whereas the retiral benefits are extended in favour of the petitioner w.e.f. 01.08.1967 that is the date upon which the petitioner was declared semi-permanent under the Work Charge Rules.

Heard rival submissions of the respective parties.

The present controversy is squarely covered by the judgment rendered by the Full Bench of this Court in the case of ***State of Rajasthan & Ors. Vs. Farooq Ahmed & Anr., reported in 2005(1) RDD 386 (Raj.).***

Thus, in view of the ratio decided by the Full Bench of this Court in the aforementioned case of ***State of Rajasthan & Ors. Vs. Farooq Ahmed & Anr. (supra),*** the respondents are directed to consider the case of the petitioner and count the services of the petitioner from the date of his initial appointment under the Work Charge Rules for the purposes of granting retiral benefits and if the petitioner is otherwise found eligible for retiral benefits w.e.f. initial date of appointment, the same shall be extended in favour of the petitioner.

With these observations, the writ petition stands disposed of.

(K.S. RATHORE),J.

/KKC/